

04-70 EXXON CORPORATION V. ALLAPATTAH SERVICES, INC., ET AL.

Decision Below: 333 F.3d 1248 (11th Cir. 2004)

QUESTIONS PRESENTED

1. Whether the supplemental jurisdiction statute, 28 U.S.C. § 1367, authorizes federal courts with diversity jurisdiction over the individual claims of named plaintiffs to exercise supplemental jurisdiction over the claims of absent class members that do not satisfy the minimum amount-in-controversy requirement?
2. ~~Whether Rule 23 of the Federal Rules of Civil Procedure authorizes the certification of a multi-state class action where individual reliance by each class member is at issue and where the predominance of common issues can be established only by distorting the law of the applicable states?~~

Cert. Granted 10/12/04 limited to Question 1
Consolidated with 04-79 for a total of 90 minutes of oral argument.

04-79 ORTEGA V. STAR KIST FOODS, INC.

Decision Below: 370 F.3d 124 (1st Cir. 2004)

QUESTION PRESENTED

Whether, in a civil diversity action in which the claims of one plaintiff meet the amount-in-controversy threshold, 28 U.S.C. § 1367 authorizes the district courts to exercise supplemental jurisdiction over the related claims of additional plaintiffs who do not satisfy the amount-in-controversy requirement?

Cert. Granted 10/12/04
Consolidated with 04-70 for a total of 90 minutes of oral argument. The grant of certiorari in 04-70 is limited to Question 1 presented by the petition.